

JOURNAL OF THE SENATE [February 24, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

WEDNESDAY, February 24, 1971.

10:00 o'clock A.M.

The senate was called to order by the president of the senate.

The prayer was offered by Pastor Carroll N. Anderson, Trinity Lutheran Church, The American Lutheran Church, Madison, Wisconsin.

The roll was called and the following senators answered to their names:

Present—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Riser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent—Senator Krueger—1.

LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, Senator Krueger was granted a leave of absence for the balance of this week's session.

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AMENDMENTS OFFERED

Senate amendment 1 to Senate Joint Resolution 21 by Senator Swan.

Senate amendment 1 to Assembly Bill 26 by Senator Busby.

Senate amendment 1 to Senate Bill 52 by Senator Devitt.

Senate amendment 1 to senate amendment 2 to Senate Bill 35 by Senators Swan and Thompson.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 213

Relating to the establishment of the board of regents of the university of Wisconsin system, consolidating therein governing power over the university of Wisconsin and state university systems, eliminating the coordinating council for higher education, board of regents of the university of Wisconsin and board of regents of state universities, altering the membership of the board of vocational, technical and adult education, and transferring appropriations.

By Senators Heinzen, Johnson, Keppler and Chilsen.

To committee on Education.

Senate Bill 214

Relating to littering on private or public property and providing a penalty.

By Senator Soik; co-sponsored by Representative Sensenbrenner.

To committee on Governmental and Veterans' Affairs.

Senate Bill 215

Relating to sales, income and personal property tax credit revision.

By Senator McKenna.

To joint Survey committee on Tax Exemptions.

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Senate Bill 216

Relating to allowing cosmetologists to cut male hair without a barber's license upon meeting certain standards.

By Senators Heinzen and Devitt, by request of Wisconsin Barber and Beauty Culture Association, AFL-CIO.

To committee on Health and Social Services.

Senate Bill 217

Relating to accumulated continuous service as a state employee and to creditable service for national guard technicians.

By Senators Roseleip and Lotto; co-sponsored by Representatives Stalbaum, Dueholm, Brown, O'Malley, Quinn and Froehlich.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

The committee on Judiciary reports and recommends:

Senate Joint Resolution 13

To amend article IV, section 24 of the constitution, relating to the authorization of bingo for certain purposes (1st consideration).

Adoption; Ayes, 5; Noes, 0.

Senate Bill 30

Relating to authorizing counties to provide county public defenders.

Adoption of senate amendment 1; Ayes, 5; Noes, 0; adoption of senate amendment 2; Ayes, 5; Noes, 0 and passage; Ayes, 5; Noes, 0.

Senate Bill 61

Relating to dismissal of faculty members at public universities for certain convictions.

Adoption of senate amendment 1; Ayes, 5; Noes, 0 and passage; Ayes, 4; Noes, 1.

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Senate Bill 71

Relating to permitting counties to enact drunk driving ordinances.

Passage; Ayes, 5; Noes, 0.

Senate Bill 72

Relating to allowing the prosecution to request the substitution of a judge.

Passage; Ayes, 5; Noes, 0.

Senate Bill 119

Relating to penalties for theft and receiving stolen property.

Passage; Ayes, 5; Noes, 0.

Senate Bill 120

Relating to increasing criminal penalties for defrauding an innkeeper in an amount over \$100.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 5

Relating to removal of minimum fines against the owners of unlicensed dogs.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 26

Relating to reaffirmation of a debt adjudicated in bankruptcy and requiring notice of reaffirmation before execution is levied.

Concurrence; Ayes, 5; Noes, 0.

ALLEN J. BUSBY,
Chairman.

The committee on Committees reports and recommends:

That Senator Raymond F. Heinzen be appointed to the Education Compact Committee to succeed Holger Rasmusen.

GERALD D. LORGE,
Chairman.

REUBEN LaFAVE
WALTER G. HOLLANDER

Read and adopted.

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PETITIONS AND COMMUNICATIONS

Senate Petition 15

A petition by Father Philip Krogman and 100 members of St. Peter and Our Lady of Hope Church opposing Assembly Bill 14, relating to legalizing abortions.

By Senator Roseleip.

Read and referred to committee on Health and Social Services.

Senate Petition 16

A petition by 2212 residents of the 18th Senatorial District supporting the continuation of Dodge County Teachers College of Mayville.

By Senator Hollander.

Read and referred to committee on Education.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Motions Under Joint Rule 26:

A joint certificate of Commendation by the Entire Membership of the assembly; co-sponsored by Senators LaFave, Knowles and Keppler for Gus H. Bakke on his record of service to the State of Wisconsin while serving as Secretary of the Department of Transportation; and

A joint certificate of Congratulations by Representative G. A. Johnson; co-sponsored by Senator Swan for Beloit College on the 125th Anniversary of its charter.

Concurred in:

Senate Joint Resolution 23

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MESSAGE FROM THE ASSEMBLY CONSIDERED

A joint certificate of Commendation by the Entire Membership of the assembly; co-sponsored by Senators LaFave, Knowles and Keppler for Gus H. Bakke on his record of service to the State of Wisconsin while serving as Secretary of the Department of Transportation.

Read and concurred in.

A joint certificate of Congratulations by Representative G. A. Johnson; co-sponsored by Senator Swan for Beloit College on the 125th Anniversary of its charter.

Read and concurred in.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, Dr. Floyd N. Peterson, Cashton, was recently named Veterinarian of the year for 1970 by the Wisconsin Veterinary Medical Association; and

Whereas, Dr. Peterson received this award for his efforts to improve the profession of veterinary medicine as chairman of the association's legislative committee; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Johnson and Representative Quackenbush, under Joint Rule 26, do extend their congratulations to Dr. Floyd N. Peterson on being honored as Wisconsin Veterinarian of the year and wish him continued success in all his endeavors.

Read and adopted.

Ordered immediately messaged.

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, the members of this legislature share in the grief of Earl Sachse, one of its most experienced, trusted and esteemed advisors and friends, at the sudden loss of his wife Lucile on February 18, 1971; and

Whereas, Lucile Eubanks Sachse was a registered nurse,

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who retired in 1969 from her position as a supervisor of nursing at the University of Wisconsin Hospital in Madison. Mrs. Sachse graduated from St. Luke's Hospital School of Nursing in St. Paul, Minn. She attended both the University of Wisconsin and the University of Minnesota. She was a member of the Order of the Eastern Star, the Daughters of the Nile, the Robert Macoy Auxiliary, and the Shriners Crippled Children's Auxiliary; now, therefore,

The Entire Membership of the senate express their heartfelt condolences and deepest sympathy to Earl Sachse, the Executive Secretary of the Wisconsin Joint Legislative Council, and to Earl, who is now himself confined by illness to University Hospital, the members of the Wisconsin Legislature further express their sincere wishes for a speedy recovery.

Read and adopted.

TODAY'S CALENDAR

Assembly Joint Resolution 5

Relating to the Wisconsin Academy of Sciences, Arts and Letters and recognizing its centennial celebration.

Read and concurred in.

Senate Joint Resolution 21

Relating to establishing a session schedule for the 1971-73 legislative biennium.

Senator Soik moved rejection of senate amendment 1.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 1; as follows:

Ayes—Senators Devitt, Dorman, Frank, Heinzen, Knowles, McKenna, Martin, Peloquin, Risser, Schuele, Soik, Thompson and Whittow—13.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Hollander, Johnson, Kendzierski, Keppler, Knutson, LaFave, Lorge, Lotto, Lourigan, Murphy, Parys, Roseleip, Steinhilber and Swan—18.

Absent or not voting—Senator Krueger—1.

So the motion failed.

Senate amendment 1 to senate amendment 1 offered by Senator Risser.

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Senator Swan raised the point of order that the amendment was not germane.

The chair ruled the point of order not well taken.

Senator Johnson moved rejection of amendment 1 to amendment 1 to **Senate Joint Resolution 21**.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Hollander, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, Murphy, Roseleip, Steinhilber and Swan—15.

Noes—Senators Devitt, Dorman, Frank, Heinzen, Kendzierski, Knowles, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Soik, Thompson and Whittow—16.

Absent or not voting—Senator Krueger—1.

So the motion failed.

The question was: Adoption of amendment 1 to amendment 1 to **Senate Joint Resolution 21**?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes—Senators Devitt, Dorman, Frank, Heinzen, Kendzierski, Knowles, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Soik, Thompson and Whittow—16.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Hollander, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, Murphy, Roseleip, Steinhilber and Swan—15.

Absent or not voting—Senator Krueger—1.

So the motion prevailed and senate amendment 1 to senate amendment 1 to **Senate Joint Resolution 21** was adopted.

By request of Senator Swan, with unanimous consent, senate amendment 1 to **Senate Joint Resolution 21** was laid on the table.

Senator Lorge offered senate amendment 2 to **Senate Joint Resolution 21**.

Senator Risser moved rejection of the amendment.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 21; absent or not voting, 1; as follows:

Ayes—Senators Dorman, Frank, Kendzierski, Lourigan, McKenna, Peloquin, Risser, Schuele, Thompson and Whittow—10.

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Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Martin, Murphy, Parys, Roseleip, Soik, Steinhilber and Swan—21.

Absent or not voting—Senator Krueger—1.

So the motion failed and the amendment was not rejected.

The question was: Adoption of amendment 2 to Senate Joint Resolution 21?

Amendment 2 adopted.

Amendment 3 offered by Senator Hollander.

Amendment 3 adopted.

Amendment 4 offered by Senator Knowles.

Amendment 4 adopted.

Amendment 5 offered by Senator Parys.

Senator Hollander moved rejection of amendment 5 to Senate Joint Resolution 21.

Senator Kendziorski in the chair.

11:25 A.M.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Chilsen, Heinzen, Hollander, Johnson, Knowles, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—12.

Noes—Senators Busby, Cirilli, Devitt, Dorman, Frank, Kendziorski, Keppler, Knutson, LaFave, Lorge, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—19.

Absent or not voting—Senator Krueger—1.

So the motion failed.

Senator Keppler moved reconsideration of the vote by which the senate refused to reject amendment 5 to Senate Joint Resolution 21.

By request of Senator Keppler, with unanimous consent, the motion for reconsideration of the vote by which the senate refused to reject amendment 5 to Senate Joint Resolution 2 was laid over until tomorrow.

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By request of Senator LaFave, with unanimous consent,
the senate returned to the 4th order of business.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 218

Relating to rear lamps on non-motorized vehicles and equipment.

By Senators Knutson, Steinhilber, Murphy and LaFave.
To committee on Transportation.

Senate Bill 219

Relating to assessment procedures for drainage districts.

By Senator Johnson; co-sponsored by Representative Quackenbush, by request of Gerald G. Wallace, Sec., Lemon-weir River Drainage District.

To committee on Governmental and Veterans' Affairs.

Senate Bill 220

Relating to family transfer of auto registration plates.

By Senator Johnson, by request of Mr. Fran Bootan, Eau Claire.

To committee on Transportation.

Senate Bill 221

Relating to cost accounting for highway construction projects.

By Senator LaFave.

To committee on Transportation.

Senate Bill 222

Relating to cruelty to any live fowl or other birds when used for a target in marksmanship practice and providing for a penalty.

By Senators Busby and Hollander.

To committee on Governmental and Veterans' Affairs.

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Senate Bill 223

Directing the highway commission to reroute the portion of State Trunk Highway 27 between Black River Falls and Augusta.

By Senators Johnson and Krueger; co-sponsored by Representative Mato.

To committee on Transportation.

Upon motion of Senator Johnson the senate adjourned until 9:30 A.M., Thursday, February 25.

12:30 P.M.

INTRODUCTION OF GUESTS

Guests of Senator Knowles: AFS Student Lorraine Broad of Dunedin, Otago, New Zealand and her American AFS sister Lynn Hubacher of Waterloo High School; AFS Student Giuseppe Bellossi, Milano, Italy, and his American AFS brother Phillip Frey of Waunakee High School; AFS Student Sven Haaverstad, Plataveien 16, Norway, and his American brother Philip Froncek of East High School, Madison; Mr. and Mrs. Tad Froncek, Madison; AFS Student Koyo Kurata, Kamiyamacho, Myozaigun, Tokushima-Ken, Japan, and her American AFS sister Brooke Hibbard of Lodi High School; AFS Student Manuel Azcarate, Piura, Peru, and his American AFS brother Randy Schoeneberg of Poynette High School.

Guests of Senator Thompson: Mr. Barnes, Principal; Grade 5 teachers—Mrs. Hellum, Mrs. Maples, Mrs. Moore, Mr. Thieding and 99 students—from Conrad Elvehjem School, McFarland, Wisconsin.

Guest of Senator Kendziorski: Alderman Robert Kordus, 14th Ward, City of Milwaukee.

Guests of Senator Soik: Craig Johnson, Lyle Mueller, Richards, Roslyn Gulotta, Esther Hoffman, and 90 students.

Guest of Senator Cirilli: Michael Harnois.